

# ***JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Morey L. Sear  
United States District Court  
Eastern District of Louisiana

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States District Court  
Western District of Tennessee

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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## **NOTICE OF HEARING SESSION**

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

**DATE OF HEARING SESSION:** January 31, 2002

**LOCATION OF HEARING SESSION:** United States Courthouse  
Courtroom 205B, 2nd Floor  
299 East Broward Boulevard  
Fort Lauderdale, Florida 33301

**TIME OF HEARING SESSION:** In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **January 14, 2002**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,

Michael J. Beck  
Clerk of the Panel

c: Clerk, U.S. District Court for the Southern District of Florida

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION  
FILED

DEC. 13, 2001

MICHAEL J. BECK  
CLERK OF THE PANEL

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, MOREY L. SEAR,  
BRUCE M. SELYA, JULIA SMITH GIBBONS, D. LOWELL JENSEN AND J.  
FREDERICK MOTZ, JUDGES OF THE PANEL***

**HEARING SESSION ORDER**

IT IS ORDERED that on January 31, 2002, a hearing session will be held in Fort Lauderdale, Florida, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:



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Wm. Terrell Hodges  
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION  
January 31, 2002 -- Fort Lauderdale, Florida

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

MDL-1093 -- In re Commercial Explosives Antitrust Litigation

Opposition of plaintiffs Orville L. Hamilton, et al., to transfer of the following action to the United States District Court for the District of Utah:

Eastern District of Kentucky

*Orville L. Hamilton, et al. v. Atlas Powder Co., et al.*, C.A. No. 7:01-279

MDL-1118 -- In re Recomm International Display, Inc., Contract Litigation

Oppositions of Colonial Pacific Leasing Corporation, n/k/a Waterview Resolution Corporation, Lease Partners, Inc., Bell Atlantic TriCon Leasing Corporation, Finova Capital Corporation, GreatAmerica Leasing Corporation, Amerus Leasing, Inc., and Textron Financial Corporation to remand of the actions listed on Attachment A from the United States District Court for the Middle District of Florida to their respective transferor courts.

MDL-1437 -- In re McDonald's Corp. Promotional Games Litigation

Motion of defendant McDonald's Corporation for centralization of the following actions in the United States District Court for the Northern District of Illinois:

District of Arizona

*Alison Reiter v. Simon Worldwide, Inc., et al.*, C.A. No. 2:01-1899

Eastern District of Arkansas

*Lee Ohaber, et al. v. McDonald's Corp.*, C.A. No. 4:01-543

Northern District of Florida

*Cameron McCoy, et al. v. McDonald's Corp.*, C.A. No. 4:01-431

MDL-1437 (Continued)

Southern District of Florida

*Annette Hoyos, et al. v. McDonald's Corp., et al.*, C.A. No. 1:01-4069

Northern District of Illinois

*Nick Popovich v. McDonald's Corp., et al.*, C.A. No. 1:01-6622

District of New Jersey

*Maria Casagrande v. McDonald's Corp., et al.*, C.A. No. 1:01-4038

Eastern District of Pennsylvania

*Donald R. Stone v. McDonald's Corp., et al.*, C.A. No. 2:01-5043

Western District of Tennessee

*David Allen v. McDonald's Corp., et al.*, C.A. No. 2:01-2801

MDL-1438 -- In re Chromated Copper Arsenate (CCA) Treated Wood Products Liability  
Litigation

Motion of plaintiff Jerry Jacobs for centralization of the following actions in the United States District Court for the Southern District of Florida:

Southern District of Florida

*Jerry Jacobs v. Osmose, Inc., et al.*, C.A. No. 1:01-944

Western District of Louisiana

*Albert Miller, et al. v. Home Depot, USA, Inc., et al.*, C.A. No. 2:01-859

MDL-1439 -- In re Farmers Insurance Exchange Claims Representatives' Overtime Pay  
Litigation

Motion, as amended, of defendants Farmers Insurance Exchange, Farmers Insurance Company, Inc., Farmers Insurance Company of Washington, Rick M. Shriver, Rion Groves, Susan Bithell, Marty Draper, Texas Farmers Insurance Company, Farmers Insurance Group of Companies, and Farmers Group, Inc., for centralization of the following actions in the United States District Court for the District of Oregon or in the United States District Court for the District of New Mexico:

District of Colorado

*Paula Chase, et al. v. Farmers Insurance Exchange, et al.*, C.A. No. 1:01-2012

Eastern District of Michigan

*Mark Severn, et al. v. Farmers Insurance Exchange, et al.*, C.A. No. 2:01-74460

District of Minnesota

*Gary J. Milner, et al. v. Farmers Insurance Exchange, et al.*, C.A. No. 0:01-2030

District of Nevada

*Randy McLeod, et al. v. Farmers Insurance Exchange, et al.*, C.A. No. 2:01-1183

District of New Mexico

*Robert Salcido, et al. v. Farmers Insurance Exchange, et al.*, C.A. No. 1:01-1196

District of Oregon

*Robert C. Westcott, et al. v. Farmers Insurance Exchange*, C.A. No. 3:01-1105

MDL-1439 (Continued)

Eastern District of Texas

*Robbie S. Puckett v. Farmers Insurance Exchange*, C.A. No. 5:01-259

Southern District of Texas

*Roland Miller, Jr., et al. v. Texas Farmers Insurance Co. et al.*, C.A. No. 5:01-244

Western District of Washington

*Robert B. Dietz, et al. v. Farmers Insurance Exchange Co., Inc.*, C.A. No. 2:01-1500

*Jennifer Petre v. Farmers Insurance Exchange, et al.*, C.A. No. 2:01-1657

MDL-1440 -- In re Monochloroacetic Acid (MCAA) Antitrust Litigation

Motion of defendants Atofina S.A. and Atofina Chemicals, Inc., for centralization of the following actions in the United States District Court for the Middle District of Louisiana:

District of District of Columbia

*Diamond Chemical Co., Inc. v. Akzo Nobel Chemicals BV, et al.*, C.A. No.1:01-2118

Middle District of Louisiana

*Crompton Corp. v. Clariant Corp., et al.*, C.A. No. 3:01-84

MDL-1441 -- In re DaimlerChrysler Corp. Jeep Grand Cherokee Transmission Products  
Liability Litigation

Motion of defendant DaimlerChrysler Corporation for centralization of the following actions in the United States District Court for the Eastern District of Michigan or in the United States District Court for the District of District of Columbia:

Northern District of California

*Dan Kent, et al. v. DaimlerChrysler Corp.*, C.A. No. 3:01-3293  
*Gene Kwon v. DaimlerChrysler Corp.*, C.A. No. 3:01-3589

Southern District of Illinois

*Tracey Cooley v. DaimlerChrysler Corp.*, C.A. No. 3:01-704

MDL-1442 -- In re General Motors Corp. Chevrolet Malibu Brake System Products Liability  
Litigation

Motion of defendant General Motors Corporation for centralization of the following actions in the United States District Court for the District of Massachusetts:

District of Massachusetts

*Jeff Auerbach, et al. v. General Motors Corp.*, C.A. No. 1:01-11723

Southern District of New York

*Chris Post v. General Motors Corp.*, C.A. No. 1:01-9410

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs John Todd, Clyde Bowman, et al., James C. Turner, et al., Rodney W. Schamerhorn, etc., Jimmie Dixon, et al., Lowell Abbott, Jr., et al., Pamela Oelrich, Charles E. Ward, and Cam L. Atkins, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

District of Delaware

*John Todd v. Porter-Hayden Co., et al.*, C.A. No. 1:01-234

*Clyde Bowman, et al. v. Armstrong World Industries, Inc., et al.*, C.A. No. 1:01-318

Eastern District of Louisiana

*James C. Turner, et al. v. Anchor Packing Co., et al.*, C.A. No. 2:01-2767

Western District of Louisiana

*Rodney W. Schamerhorn, etc. v. United States Dept. of Army*, C.A. No. 2:01-914

Northern District of Mississippi

*Jimmie Dixon, et al. v. CCR, Inc., et al.*, C.A. No. 4:01-227

Eastern District of Missouri

*Lowell Abbott, Jr., et al. v. Metropolitan Life Insurance Co., et al.*,  
C.A. No. 4:01-1299

District of Nevada

*Pamela Oelrich v. Andco, Inc., et al.*, C.A. No. 2:01-1039



MDL-875 (Continued)

Eastern District of Tennessee

*Charles E. Ward v. A-Best Products Co., et al.*, C.A. No. 3:01-433

Southern District of West Virginia

*Cam L. Atkins, et al. v. A.P. Green Services, Inc., et al.*, C.A. No. 2:01-781

Motion of defendant Minnesota Mining and Manufacturing Company for transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Western District of Kentucky

*Marilyn E. Triplett, etc. v. Minnesota Mining & Manufacturing Co.*,  
C.A. No. 3:01-11

MDL-1091 -- In re Metropolitan Life Insurance Co. Sales Practices Litigation

Oppositions of plaintiffs Patricia Diane Whitesides and Rickey L. Chambers to transfer of their respective following actions to the United States District Court for the Western District of Pennsylvania:

Eastern District of Texas

*Patricia Diane Whitesides v. Metropolitan Life Insurance Co., et al.*, C.A. No. 6:01-405  
*Rickey L. Chambers v. Metropolitan Life Insurance Co., et al.*, C.A. No. 6:01-406

MDL-1096 -- In re Crown Life Insurance Company Premium Litigation

Opposition of plaintiff Donald H. Mintz to transfer of the following action to the United States District Court for the Southern District of Texas:

District of New Jersey

*Donald H. Mintz v. Crown Life Insurance Co., et al.*, C.A. No. 2:01-4652

MDL-1098 -- In re Masonite Corp. Hardboard Siding Products Liability Litigation

Opposition of plaintiff Rose M. Boyles to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

District of South Carolina

*Rose M. Boyles v. Masonite Corp.*, C.A. No. 9:01-3453

MDL-1105 -- In re New England Mutual Life Insurance Company Sales Practices Litigation

Oppositions of plaintiffs Mary Dayle McCormick, et al., Patsy Blackwell, et al., Debra J. Andrews, et al., and John F. Peters, et al., to transfer of the following actions to the United States District Court for the District of Massachusetts:

Southern District of Mississippi

*Mary Dayle McCormick, et al. v. Metropolitan Life Insurance Co., et al.*,  
C.A. No. 2:00-325

*Patsy Blackwell, et al. v. Metropolitan Life Insurance Co., et al.*, C.A. No. 3:01-523

*Debra J. Andrews, et al. v. Metropolitan Life Insurance Co., et al.*, C.A. No. 3:01-689

*John F. Peters, et al. v. Metropolitan Life Insurance Co., et al.*, C.A. No. 5:00-321

MDL-1132 -- In re Exterior Insulation Finish System (EIFS) Products Liability Litigation

Oppositions of third party defendants Paul L. Kess, Inc., and Innovative Homes and Design, Inc., to transfer of the following action to the United States District Court for the Eastern District of North Carolina:

District of Nebraska

*Michael G. Wagner, et al. v. Dryvit Systems, Inc.*, C.A. No. 4:00-3072

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Alabama

*William F. Neil, Jr. v. American Home Products Corp., et al.*, C.A. No. 2:01-2316

Middle District of Florida

*Anna Marie Delorme v. American Home Products Corp., et al.*, C.A. No. 8:01-1587  
*Darrell Hutter v. American Home Products Corp., et al.*, C.A. No. 8:01-1588  
*Merrial Hudson v. American Home Products Corp., et al.*, C.A. No. 8:01-1589  
*Cynthia Wines, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1591  
*Ted Mallen v. American Home Products Corp., et al.*, C.A. No. 8:01-1592  
*Ruth Banks v. American Home Products Corp., et al.*, C.A. No. 8:01-1593  
*Karen Oxendine v. American Home Products Corp., et al.*, C.A. No. 8:01-1594  
*Marie Salley, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1595  
*Ann Mullen, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1596  
*Rose Franklin v. American Home Products Corp., et al.*, C.A. No. 8:01-1597  
*Jerry Peterson v. American Home Products Corp., et al.*, C.A. No. 8:01-1598  
*Rose Hutter v. American Home Products Corp., et al.*, C.A. No. 8:01-1599

MDL-1203 (Continued)

Middle District of Florida (Continued)

*Anita Burnett, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1603  
*William Parsons, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1604  
*Carolyn Wilfong v. American Home Products Corp., et al.*, C.A. No. 8:01-1605  
*Kim White, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1606  
*Mary Williams v. American Home Products Corp., et al.*, C.A. No. 8:01-1607  
*Denise Lowden, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1608  
*Keith Mathias, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1609  
*Pamela Desmond, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1610  
*Rosemary Harasym, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1611  
*Sharon Martinez v. American Home Products Corp., et al.*, C.A. No. 8:01-1612  
*Carolyn Thronson, et al. v. American Home Products Corp., et al.*,  
C.A. No. 8:01-1613  
*Annette Teig, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1614  
*Gayle Petterson v. American Home Products Corp., et al.*, C.A. No. 8:01-1615  
*Wandra Minter v. American Home Products Corp., et al.*, C.A. No. 8:01-1616  
*Junia Schlangen, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1618  
*Barbara Castleman, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1619  
*Barbara Leblanc, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1620  
*Helen Spencer, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1622  
*Zola Hunt v. American Home Products Corp., et al.*, C.A. No. 8:01-1623  
*Judy Ivan v. American Home Products Corp., et al.*, C.A. No. 8:01-1624  
*Jill Sedlar, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1625  
*William Hughes, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1626  
*Annie Nunnery v. American Home Products Corp., et al.*, C.A. No. 8:01-1627  
*Marianne Rasmussen, et al. v. American Home Products Corp., et al.*,  
C.A. No. 8:01-1628  
*Marie McDonald v. American Home Products Corp., et al.*, C.A. No. 8:01-1629  
*Fred Gilman, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1630  
*Craig Edling, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1631  
*Freda Mathena, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1632  
*Susan Reynolds, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1633  
*Lucille Godtland, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1634  
*Cathy Sockol, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1635

MDL-1203 (Continued)

Middle District of Florida (Continued)

*Dorothy Watson, et al. v. American Home Products Corp.*, C.A. No. 8:01-1673  
*Linda C. Smith, et al. v. American Home Products Corp.*, C.A. No. 8:01-1674  
*Hazel Settles, et al. v. American Home Products Corp.*, C.A. No. 8:01-1675  
*Betty West, et al. v. American Home Products Corp.*, C.A. No. 8:01-1676  
*Brenda Peach, et al. v. American Home Products Corp.*, C.A. No. 8:01-1677  
*Wendell Morris, et al. v. American Home Products Corp.*, C.A. No. 8:01-1678  
*Pam Tanner v. American Home Products Corp.*, C.A. No. 8:01-1679  
*Gail Paulk v. American Home Products Corp.*, C.A. No. 8:01-1680  
*Carol Hannah v. American Home Products Corp.*, C.A. No. 8:01-1681  
*Wanda Runner, et al. v. American Home Products Corp.*, C.A. No. 8:01-1682  
*Theresa Nissen v. American Home Products Corp.*, C.A. No. 8:01-1683  
*Connie Fisher, et al. v. American Home Products Corp.*, C.A. No. 8:01-1684  
*Saundria Duvall v. American Home Products Corp.*, C.A. No. 8:01-1685  
*Brenda Catlett, et al. v. American Home Products Corp.*, C.A. No. 8:01-1686  
*Shirley Brauner v. American Home Products Corp.*, C.A. No. 8:01-1687  
*Meta Binion, et al. v. American Home Products Corp.*, C.A. No. 8:01-1688  
*Pamela Abby, et al. v. American Home Products Corp.*, C.A. No. 8:01-1689  
*Doris McMahan v. American Home Products Corp.*, C.A. No. 8:01-1690  
*Cynthia Hounshell v. American Home Products Corp.*, C.A. No. 8:01-1691  
*Mattie Marie Hinkle v. American Home Products Corp.*, C.A. No. 8:01-1692  
*Mary Beth Hivick, et al. v. American Home Products Corp.*, C.A. No. 8:01-1693  
*Georgia Kelly v. American Home Products Corp.*, C.A. No. 8:01-1694  
*Dorothy Jones, et al. v. American Home Products Corp.*, C.A. No. 8:01-1695  
*Phyllis McGuffin, et al. v. American Home Products Corp.*, C.A. No. 8:01-1696  
*Leslie Wintner v. American Home Products Corp., et al.*, C.A. No. 8:01-1702  
*Patricia Cooney, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1703  
*Janet Lockhart v. American Home Products Corp., et al.*, C.A. No. 8:01-1704  
*Jack Shepherd, et al. v. American Home Products Corp., et al.*, C.A. No. 8:01-1705  
*Roland Warfield v. American Home Products Corp., et al.*, C.A. No. 8:01-1724

Southern District of Mississippi

*Duwanda Robbins, et al. v. Wyeth-Ayerst Pharmaceuticals, Inc., et al.*,  
C.A. No. 4:01-281  
*Linda Harmon, et al. v. Wyeth-Ayerst Pharmaceuticals, Inc., et al.*, C.A. No. 4:01-282

MDL-1334 -- In re Managed Care Litigation

Oppositions of plaintiff Dr. Richard P. Bartlett and defendants Oxford Health Plans, Inc., and Oxford Health Plans of Connecticut, Inc., to transfer of their respective following action to the United States District Court for the Southern District of Florida:

District of Connecticut

*Jit C. Patel, et al. v. Oxford Health Plans of Connecticut, Inc., et al.*,  
C.A. No. 3:00-2444

Western District of Texas

*Dr. Richard P. Bartlett v. Provider Networks of America, Inc.*, C.A. No. 7:01-65

MDL-1348 -- In re Rezulin Products Liability Litigation

Oppositions of plaintiffs and defendant Russell County Medical Center to transfer of their respective following actions to the United States District Court for the Southern District of New York:

District of Alaska

*Rosemary Alto v. Parke-Davis, et al.*, C.A. No. 3:01-278  
*Pauline Bates v. Safeway, Inc., et al.*, C.A. No. 3:01-279

Eastern District of Kentucky

*Henry Baker v. Parke-Davis, et al.*, C.A. No. 6:01-323

Western District of Louisiana

*Mary Hawkins v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1648  
*Calvin Collins v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1649  
*Jacqueline Bourda v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1653  
*Debra Charles v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1654

MDL-1348 (Continued)

Western District of Louisiana (Continued)

*Maria Jack v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1655  
*Shirley Williams v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1656  
*Annie Brown v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1657  
*John Collins, Jr. v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1658  
*Betty Alexander v. Warner-Lambert Co., et al.*, C.A. No. 6:01-1659

District of Maryland

*Jose Lopez, Jr. etc. v. Warner-Lambert Co.*, C.A. No. 1:01-2661

Northern District of Mississippi

*Quinnie Mae Denton, etc. v. Pfizer, Inc., et al.*, C.A. No. 4:01-254  
*Melissa Marshall, et al. v. Pfizer, Inc., et al.*, C.A. No. 4:01-255

Southern District of Mississippi

*Mattie Cooley, et al. v. Warner-Lambert Co., et al.*, C.A. No. 2:01-261  
*Sarah H. Boykin v. Warner-Lambert Co., et al.*, C.A. No. 3:01-796

Southern District of Ohio

*Priscilla J. Henson, et al. v. Warner-Lambert Co., et al.*, C.A. No. 2:01-920

Eastern District of Texas

*Marcella Askew, et al. v. Warner-Lambert Co., et al.*, C.A. No. 1:01-688  
*Esly Alvarado-Umanzor, et al. v. Warner-Lambert Co., et al.*, C.A. No. 1:01-689  
*Lillie Barnes, et al. v. Warner-Lambert Co., et al.*, C.A. No. 1:01-690  
*Jerry Albright, et al. v. Warner-Lambert Co., et al.*, C.A. No. 1:01-691

Northern District of Texas

*Johnny Adams, etc. v. Warner-Lambert Co.*, C.A. No. 3:01-1980

MDL-1348 (Continued)

Southern District of Texas

*David Abudei, et al. v. Warner-Lambert Co., et al.*, C.A. No. 3:01-604  
*Rex Ann Simmons, etc. v. Parke-Davis, et al.*, C.A. No. 4:01-2832

Western District of Virginia

*Mary Shreve, et al. v. Parke-Davis, et al.*, C.A. No. 1:01-82

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Oppositions of plaintiffs Rita O'Brien, et al., Mary Anne Griffiths, etc., Darlene Kozac, et al., Lila Reinales Serra, etc., Thomas Adams, et al., and Brenda Mayo, et al., and defendant State Farm Mutual Automobile Insurance Company to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

Southern District of Alabama

*Rita O'Brien, et al. v. Ford Motor Co., et al.*, C.A. No. 1:01-708

District of Connecticut

*Mary Anne Griffiths, etc. v. Ford Motor Co., et al.*, C.A. No. 3:01-1817

Southern District of Florida

*Darlene Kozac, et al. v. Bridgestone/Firestone, Inc., et al.*, C.A. No. 0:01-7406  
*Lila Reinales Serra, etc. v. Bridgestone/Firestone, Inc., et al.*, C.A. No.1:01-3581  
*Loree Feiler, et al. v. Bridgestone/Firestone, Inc., et al.*, C.A. No. 1:01-3744

Eastern District of Louisiana

*Thomas Adams, et al. v. Bridgestone/Firestone, Inc., et al.*, C.A. No. 2:01-3002



MDL-1373 (Continued)

Southern District of Mississippi

*Brenda Mayo, et al. v. Bridgestone/Firestone, Inc., et al.*, C.A. No. 3:01-644

MDL-1382 -- In re Unitrin, Inc., Industrial Life Insurance Litigation

Oppositions of plaintiffs Shirley Cork, Maggie Baggett, et al., and Virginia Durham, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Northern District of Mississippi

*Shirley Cork v. Unitrin, Inc., et al.*, C.A. No. 4:01-200

*Maggie Baggett, et al. v. United Insurance Co. of America, et al.*, C.A. No. 4:01-239

Southern District of Mississippi

*Virginia Durham, et al. v. United Insurance Co. of America, et al.*, C.A. No. 3:01-698

MDL-1390 -- In re Life Insurance Co. of Georgia Industrial Life Insurance Litigation

Opposition of plaintiffs Gertrude Garvis, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Northern District of Mississippi

*Gertrude Garvis, et al. v. Life Insurance Co. of Georgia, et al.*, C.A. No. 4:01-244

MDL-1401 -- In re Sulzer Orthopedics Inc. Hip Prosthesis and Knee Prosthesis Products Liability Litigation

Oppositions of plaintiffs Gloria McCarthy, Alvin R. Haveson, and Holly B. Donaldson to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

District of Arizona

*Gloria McCarthy v. Sulzer Medica Ltd., et al.*, C.A. No. 4:01-429

Central District of California

*Alvin R. Haveson v. Sulzer Medica USA, Inc., et al.*, C.A. No. 2:01-7633

*Holly B. Donaldson v. Sulzer Medica USA, Inc., et al.*, C.A. No. 2:01-7634

MDL-1403 -- In re StarLink Corn Products Liability Litigation

Opposition of plaintiff AgriFarm Industries, LLC, to transfer of the following action to the United States District Court for the Northern District of Illinois:

Northern District of Texas

*AgriFarm Industries, LLC v. Aventis CropScience USA Holding, Inc., et al.*,  
C.A. No. 2:01-325

MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Western District of Washington:

Northern District of Alabama

*Kenneth Bevis, et al. v. Glaxosmithkline Corp., et al.*, C.A. No. 3:01-1294

*Phillip Wiggins, et al. v. American Home Products Corp., et al.*, C.A. No. 3:01-2303

MDL-1407 (Continued)

District of Arizona

*Melissa Ann Kobar, etc. v. Novartis Corp., et al.*, C.A. No. 2:01-156

Southern District of Mississippi

*Dorothy U. Newell, et al. v. American Home Products Corp., et al.*, C.A. No. 2:01-198

*Gregory L. Davis, et al. v. American Home Products Corp., et al.*, C.A. No. 2:01-212

*Edna M. Barnett, et al. v. American Home Products Corp., et al.*, C.A. No. 4:01-169

*Bobby Robinson v. Bayer Corp., et al.*, C.A. No. 5:01-263

*Bridgette Pollard, etc. v. Bayer Corp., et al.*, C.A. No. 5:01-264

*Marjorie M. McQuirter v. Chattem, Inc., et al.*, C.A. No. 5:01-266

Oppositions of defendants Metabolife International, Inc., and Chemins Company, Inc., to transfer of the following action to the United States District Court for the Western District of Washington:

Southern District of Alabama

*Joy Laster, etc. v. Metabolife, Inc., et al.*, C.A. No. 1:01-335

**ATTACHMENT A TO JANUARY HEARING SESSION**  
**MDL-1118**  
**IN RE RECOMM INTERNATIONAL DISPLAY, INC., CONTRACT LITIGATION**

--- TRANSFEREE ---			--- TRANSFEROR ---			CASE CAPTION
DIST.	DIV.	C.A.NO.	DIST.	DIV.	C.A.NO.	
FLM	8	96-2138	ALM	2	96-781	Watson Animal Clinic v. Copelco Capital Inc., et al.
FLM	8	97-1282	ALN	2	97-234	AmerUs Leasing, Inc. v. Marbourg
FLM	8	96-2139	ALN	7	96-1078	Carrollton Prescription Shop v. Finova Capital, et al.
FLM	8	96-2032	ALN	8	Adv 96-80084	Moultrie v. Recomm Int'l Display, Ltd., et al.
FLM	8	96-2301	ALN	8	Adv 96-80110	Finova Capital Corp. v. Valley Drug, Inc., et al.
FLM	8	96-2302	ALN	8	Adv 96-80111	B.C.&F., Inc. v. Finova Capital Corp., et al.
FLM	8	96-2303	ALN	8	Adv 96-80112	L. Edward Davis, Jr. v. Finova Capital Corp., et al.
FLM	8	96-2140	ALS	1	96-552	Mac's Drugs, Inc. v. Copelco Capital, Inc.
FLM	8	96-2590	ALS	1	96-1080	Mark Wise v. Textron Financial Corp.
FLM	8	96-2141	ARE	3	96-76	James G. Crone, et al. v. Recomm Operations, Inc., et al.
FLM	8	96-2142	ARE	3	96-158	Kelly Graham, et al. v. Bank of Mississippi, et al.
FLM	8	97-212	CAC	2	96-3109	Finova Capital Corp. v. Century Pharmacy, et al.
FLM	8	96-2143	CAC	2	96-3115	Finova Capital Corp. v. Loe Enterprises, Inc., et al.
FLM	8	96-2144	CAC	2	96-3116	Finova Capital Corp. v. West Hollywood Pharmacy, et al.
FLM	8	96-2145	CAC	2	96-3117	Copelco Credit Corp. v. Rox San Pharmacy
FLM	8	96-2146	CAC	2	96-4220	Super Care, Inc. v. Colonial Pacific Leasing, et al.
FLM	8	96-2147	CAC	2	96-4335	Super Care, Inc. v. Colonial Pacific Leasing, et al.
FLM	8	97-13	CAC	2	96-6037	Amerus Leasing, Inc. v. Joseph D'Angelo, et al.
FLM	8	97-355	CAC	2	96-9093	Nations Credit v. Beebe-Shilton Corp., et al.
FLM	8	97-356	CT	3	97-29	Amerus Leasing, Inc. v. Alan G. Ford, et al.
FLM	8	96-2380	FLS	0	96-7154	Fellerdom Pharmacy v. Recomm International Display Corp
FLM	8	97-1055	FLS	1	97-428	Steve Sheldon, et al. v. Recomm Operations, Inc., et al.
FLM	8	96-2148	GAM	4	Adv 96-402	Finova Capital Corp. v. Roy A. Carroll, D.V.M.
FLM	8	96-2363	HI	1	96-406	Finova Capital Corp. v. Honolulu Pet Clinic, et al.
FLM	8	97-409	IAN	1	97-9	Greatamerica Leasing Corp. v. Allard's Bell, et al.
FLM	8	97-410	IAN	1	97-10	Greatamerica Leasing Corp. v. George C. Punches, et al.
FLM	8	97-411	IAN	1	97-11	Greatamerica Leasing Corp. v. Your Druggist, Inc.
FLM	8	97-412	IAN	1	97-12	Greatamerica Leasing Corp. v. William C. Ballard
FLM	8	97-413	IAN	1	97-13	Greatamerica Leasing Corp. v. Gasaway Pharmacy, Inc.
FLM	8	97-414	IAN	1	97-14	Greatamerica Leasing Corp. v. Jaffe Drug Stores, Inc.
FLM	8	97-415	IAN	1	97-15	Greatamerica Leasing Corp. v. Alton Kanak
FLM	8	97-416	IAN	1	97-16	Greatamerica Leasing Corp. v. Jack A. Linder, et al.
FLM	8	97-417	IAN	1	97-17	Greatamerica Leasing Corp. v. Mid Ozark Animal, et al.
FLM	8	97-1616	IAN	1	97-91	Greatamerica Leasing Corp. v. SGJ&P, Inc., et al.
FLM	8	96-2381	IAS	4	96-70502	Amerus Leasing, Inc. v. Hylton & Hylton, et al.
FLM	8	96-2040	INN	2	96-56	John R. DeVries, Inc. v. Recomm Int'l Display, et al.
FLM	8	97-213	KS	2	96-2375	Blue Valley Animal Hospital v. Colonial Pacific, et al.
FLM	8	96-2150	LAE	2	96-1113	First Natl Bank St. Mary Parish v. Faust Vet., et al.
FLM	8	96-2591	LAE	2	96-3713	Amerus Leasing, Inc. v. Michel's Pharmacy, Inc., et al.
FLM	8	96-2154	LAW	6	96-940	Sidney Dupois v. Finova Capital Corp., et al.
FLM	8	97-214	LAW	6	96-1495	Whitney National Bank v. W. Paul Bockewitz
FLM	8	97-215	LAW	6	96-1496	Whitney National Bank v. Ashok K. Gupta
FLM	8	97-216	LAW	6	96-1572	Whitney National Bank v. Union Avenue Pharmacy, et al.
FLM	8	97-217	LAW	6	96-1573	Whitney National Bank v. Southern Illinois Medicap, Inc
FLM	8	97-219	LAW	6	96-1614	Whitney National Bank v. Bratlands Prescrip. Shop, et al.
FLM	8	97-220	LAW	6	96-1618	Whitney National Bank v. Cherry Hill Pharmacy, et al.
FLM	8	97-221	LAW	6	96-1619	Whitney National Bank v. Alfors Apothecary, Inc., et al
FLM	8	97-222	LAW	6	96-1620	First Natl. Bank-St. Mary v. Roger Prof. Pharm., et al.
FLM	8	97-225	LAW	6	96-1623	Whitney National Bank v. Robert T. Shaw
FLM	8	97-226	LAW	6	96-1631	Whitney National Bank v. W. Richard Wilborn, et al.
FLM	8	97-227	LAW	6	96-1632	Whitney National Bank v. Ed Potts
FLM	8	97-228	LAW	6	96-1684	Whitney National Bank v. Donohoo Pharmacy, Inc., et al.
FLM	8	97-229	LAW	6	96-1925	Whitney National Bank v. Trenton Pharmacy, Inc., et al.
FLM	8	97-230	LAW	6	96-2066	Whitney National Bank v. Cramar, Inc., et al.
FLM	8	97-232	LAW	6	96-2120	Whitney National Bank v. Eldon R. Hall
FLM	8	97-233	LAW	6	96-2165	Whitney National Bank v. Underiner Pharmacy, et al.
FLM	8	96-2382	LAW	6	96-2242	Whitney National Bank v. Value Village, Inc., et al.
FLM	8	96-2383	LAW	6	96-2315	Whitney National Bank v. B&L Pharmacy, Inc., et al.
FLM	8	97-16	MA	1	96-12250	Amerus Leasing, Inc. v. Nabeel Khudairi, O.D.
FLM	8	97-2330	MA	1	97-10118	Amerus Leasing, Inc. v. Richard M. Danubio
FLM	8	96-2155	MA	4	Adv 96-4202	Finova Capital Corp. v. Serio Brother, Inc., et al.

FLM	8	97-17	MD	1	Adv	96-5493	Copelco Capital Corp. v. Park Oak Pharmacy, et al.
FLM	8	96-2304	MIW	1		96-357	Richard C. Annis, III v. Colonial Pacific Leasing Corp.
FLM	8	96-2156	MOE	1		96-151	Twin City Pharmacy v. Recomm International, et al.
FLM	8	96-2157	MOE	4		96-863	Veterinary Associates v. Recomm International, et al.
FLM	8	96-2158	MOE	4	Adv	96-4123	Veterinary Associates v. Recomm International, et al.
FLM	8	96-2159	MOE	4	Adv	96-4162	Medley Pharmacy, Inc. v. Recomm International, et al.
FLM	8	96-2042	MOE	4	Adv	96-4163	Hometown Pharmacy, Inc. v. Finova Capital Corp., et al.
FLM	8	96-2160	MOW	4	Adv	96-4054	Drug Depot, Inc. v. Recomm Operations, Inc., et al.
FLM	8	96-2041	MSS	3		96-218	Glenn Allen Adair, et al. v. Amerus Leasing, Inc., et al.
FLM	8	96-2044	MT	9		96-43	Patrick Kane v. Recomm Int'l Display, Ltd., et al.
FLM	8	96-2161	MT	9		96-53	Michael Larson, et al. v. Recomm International Display, Ltd., et al.
FLM	8	96-2162	MT	9		96-72	Robert Sperry, et al. v. Recomm International Display, et al.
FLM	8	96-2163	MT	9		96-78	Curtis Schwaderer v. Recomm International Display Corp., et al.
FLM	8	97-18	NCW	3	Adv	96-3389	Springs Leasing Corp. v. Gremer, Inc., et al.
FLM	8	96-2045	NJ	2	Adv	96-2180	ACY Corp. v. Recomm Int'l Display, Ltd., et al.
FLM	8	96-2164	NJ	2	Adv	96-2425	In-Sight Optics, Inc. v. Colonial Pacific Leasing Corp.
FLM	8	96-2520	NJ	2	Adv	96-2637	Amerus Leasing, Inc. v. E&M Pharmacies, Inc.
FLM	8	97-548	NM	1		96-1643	Nations Financial Credit Corp. v. Fidel Tabet
FLM	8	96-2385	NYE	1		96-4678	Republic Leasing Co., Inc. v. Richmond Pharmacy, et al.
FLM	8	97-360	NYN	1		96-2007	Nations Financial Capital v. Peru Pharmacy, et al.
FLM	8	97-418	NYN	1		97-55	Nations Financial Capital v. Pleasant Valley, et al.
FLM	8	96-2046	NYW	1	Adv	96-1099	Kenneth R. Nimon v. Gowanda Pharmacy, Inc., et al.
FLM	8	96-2047	OKW	5	Adv	96-1100	Ken Hawkins, et al. v. Recomm International Display Ltd., et al.
FLM	8	96-2048	OKW	5	Adv	96-1128	Max E. Rust, D.V.M., et al. v. Colonial Pacific Leasing, et al.
FLM	8	96-2050	PAE	2		96-320	WEG, Inc. v. Recomm Operations, Inc., et al.
FLM	8	96-2305	PAE	2		96-6388	Amerus Leasing, Inc. v. A.H. Martin Drugs, Inc., et al.
FLM	8	96-2165	PAW	2		96-722	Linda Stiller, et al. v. Recomm International Display, Ltd., et al.
FLM	8	96-2306	SC	3		96-670	L.H. Ahrens v. Recomm International Display Corp., et al.
FLM	8	96-2166	SC	3		96-1282	Republic Leasing Co. v. Edmundson Drug Co., et al.
FLM	8	96-2167	SC	3		96-1388	Republic Leasing Co., Inc. v. D.F. Deily
FLM	8	96-2051	SD	4		96-4065	Lewis Drugs v. Longwater Funding Resources, et al.
FLM	8	97-1056	TNE	1		97-73	Amerus Leasing v. Pediatric Center of Cleveland, et al.
FLM	8	97-1617	TNM	3	Adv	96-2002	Charles A. Rice. O.D. v. First Federal Leasing
FLM	8	97-1618	TNM	3	Adv	96-2003	William Logan McCord, O.D. v. First Federal Leasing
FLM	8	97-235	TNW	2	Adv	96-8009	United American Bank of Memphis v. Duvall Drugs, et al.
FLM	8	97-236	TNW	2	Adv	96-8010	United American Bank of Memphis v. Holt's, et al.
FLM	8	97-237	TNW	2	Adv	96-8011	United American Bank of Memphis v. Jack W., et al.
FLM	8	97-238	TNW	2	Adv	96-8012	United American Bank of Memphis v. Waterproof, et al.
FLM	8	97-239	TNW	2	Adv	96-8013	United American Bank of Memphis v. Service Drug, et al.
FLM	8	97-240	TNW	2	Adv	96-8014	United American Bank of Memphis v. Steve Miller, et al.
FLM	8	97-241	TNW	2	Adv	96-8015	United American Bank of Memphis v. Standard Drug Co. of Troy
FLM	8	97-815	TNW	2		96-8016	United American Bank of Memphis v. Osborne Animal Clinic, et al.
FLM	8	97-816	TNW	2		96-8017	United American Bank of Memphis v. Whitesburg Animal Hosp., et al.
FLM	8	97-242	TNW	2	Adv	96-8018	United American Bank of Memphis v. Alfors, et al.
FLM	8	97-243	TNW	2	Adv	96-8019	United American Bank of Memphis v. Burns Drug, et al.
FLM	8	97-244	TNW	2	Adv	96-8020	United American Bank of Memphis v. C.D.S. #10, et al.
FLM	8	97-245	TNW	2	Adv	96-8021	United American Bank of Memphis v. Kilgore, et al.
FLM	8	97-246	TNW	2	Adv	96-8022	United American Bank of Memphis v. M. Rogers, et al.
FLM	8	97-247	TNW	2	Adv	96-8023	United American Bank of Memphis v. Larry Routt, et al.
FLM	8	97-248	TNW	2	Adv	96-8024	United American Bank of Memphis v. Tyson Drugs, Inc., et al.
FLM	8	97-249	TNW	2	Adv	96-8025	United American Bank of Memphis v. North Fork, et al.
FLM	8	97-250	TNW	2	Adv	96-8026	United American Bank of Memphis v. Pharmacy, et al.
FLM	8	97-251	TNW	2	Adv	96-8027	United American Bank of Memphis v. Saverite, et al.
FLM	8	97-252	TNW	2	Adv	96-8028	United American Bank of Memphis v. Anderson, et al.
FLM	8	97-253	TNW	2	Adv	96-8029	United American Bank of Memphis v. Meramec, et al.
FLM	8	97-254	TNW	2	Adv	96-8030	United American Bank of Memphis v. Halman, Inc., et al.
FLM	8	97-255	TNW	2	Adv	96-8031	United American Bank of Memphis v. Wilmot, et al.
FLM	8	97-256	TNW	2	Adv	96-8032	United American Bank of Memphis v. Town, et al.
FLM	8	97-257	TNW	2	Adv	96-8033	United American Bank of Memphis v. Emerson's, et al.
FLM	8	97-258	TNW	2	Adv	96-8034	United American Bank of Memphis v. DBM, et al.
FLM	8	97-259	TNW	2	Adv	96-8035	United American Bank of Memphis v. Aumack's, et al.
FLM	8	97-260	TNW	2	Adv	96-8036	United American Bank of Memphis v. Patterson, et al.
FLM	8	97-261	TNW	2	Adv	96-8037	United American Bank of Memphis v. B&L Pharmacy, et al.
FLM	8	97-262	TNW	2	Adv	96-8038	United American Bank of Memphis v. Collie Drugs Pharm., et al.
FLM	8	97-263	TNW	2	Adv	96-8040	United American Bank of Memphis v. Vidor, et al.
FLM	8	97-731	TNW	2	Adv	96-8043	United American Bank of Memphis v. Stephens Drug, Inc., et al.
FLM	8	97-732	TNW	2	Adv	96-8044	United American Bank of Memphis v. Highland Heights, et al.
FLM	8	97-733	TNW	2	Adv	96-8045	United American Bank of Memphis v. Blandford Pharmacy, et al.
FLM	8	97-734	TNW	2	Adv	96-8046	United American Bank of Memphis v. Boelling Pharmacy, et al.
FLM	8	97-817	TNW	2		96-8039	United American Bank of Memphis v. Lyon Drug Co. Maumellel, et al.
FLM	8	97-818	TNW	2		96-8041	United American Bank of Memphis v. Thomas G. Brelage, et al.
FLM	8	97-819	TNW	2		96-8048	United American Bank of Memphis v. Allen's Drug Store
FLM	8	97-820	TNW	2		97-8002	United American Bank of Memphis v. Hedges Prescription, et al.
FLM	8	98-1746	TXE	4	Adv	98-4075	Dr. Glenn Davis v. Colonial Pacific Leasing Corp.
FLM	8	96-2168	TXN	2		96-80	Mahnken Pharmacy, Inc. v. Recomm International et al.

FLM	8	96-2052	TXN	2	96-102	Mahnken Pharmacy v. Recomm Int'l Display, Ltd., et al.
FLM	8	97-264	TXN	2	96-132	David Riddlespurger v. Textron Financial Corp.
FLM	8	97-265	TXN	2	96-245	Cled T. Click v. Colonial Pacific Leasing Corp., et al.
FLM	8	96-2307	TXN	2	96-336	Area Eye Center, P.C. v. Colonial Pacific, et al.
FLM	8	97-19	TXN	3	96-3052	Copelco Capital, Inc. v. Steve Pirkey
FLM	8	97-127	TXN	4	96-887	Amerus Leasing v. Park Row Animal Hospital, et al.
FLM	8	97-266	TXS	2	96-119	Pat L. Hubert v. Recomm International Display, Ltd., et al.
FLM	8	96-2169	TXS	4	96-1506	Amerus Leasing, Inc. v. Dr. Albert D. Love, et al.
FLM	8	96-2308	TXS	4	96-2080	Amerus Leasing, Inc. v. Dorsey C. Blair, et al.
FLM	8	96-2053	TXS	4	Adv 96-4190	Lake Olympia Animal v. Recomm International, et al.
FLM	8	96-2309	TXS	4	Adv 96-4685	Amerus Leasing, Inc. v. Doan-Ahn Pham, O.D., et al.
FLM	8	97-20	TXS	4	Adv 96-4719	Amerus Leasing, Inc. v. Marcia L. DuBois
FLM	8	97-128	TXS	4	Adv 96-4819	Amerus Leasing, Inc. v. Ann Fingold
FLM	8	97-736	TXS	4	Adv 97-4086	First Interstate Financial v. Rice Village, et al.
FLM	8	97-737	TXS	4	Adv 97-4101	First Interstate Financial Services v. John Gee
FLM	8	97-1057	TXS	4	Adv 97-4102	First Interstate Financial Services, Inc. v. Lee Ford
FLM	8	97-468	TXW	1	97-17	Amerus Leasing, Inc. v. Dr. Lester Kitchen, et al.
FLM	8	96-2170	VAW	2	96-161	Wise County Animal v. Colonial Pacific Leasing Corp.
FLM	8	96-2171	WIW	3	Adv 96-1098	Hillcrest Animal Hospital v. Recomm International, et a
FLM	8	96-2172	WVN	1	96-85	George Seiler, D.V.M., et al. v. Colonial Pacific Leasing Corp., et al.

PROCEDURES FOR ORAL ARGUMENT BEFORE THE  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re “East of the Rockies” Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

## RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.



(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.